REMARKS

Claims 1-10 are pending in the application and stand rejected.

Objections to the claims

Claim 1 is objected to for reciting "LOP" instead of "LDP." Applicants have redressed this typographical error herein via amendment.

Objections to the specification

The specification is objected to for reciting "LOP" instead of "LDP." Applicants have redressed this typographical error herein via amendment.

Rejection under 35 U.S.C §102

Claims 1-4, 6 and 10 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 7,260,097 to Casey et al. Applicants respectfully disagree.

Specifically, Applicants submit that Casey does not disclose "configuring a VLAN QinQ switching device and a multi-protocol label switching device to communicate with each other and implementing switching between VLAN labels and MPLS labels" as recited by presently amended claim 1. Applicants note that the limitation of "implementing switching between VLAN labels and MPLS labels" is newly added herein, is supported by the originally filed specification at paragraph [0064], and introduces no new matter.

Casey, on the other hand, clearly teaches at col. 5 ll. 28-37 that "For each VPLS instance supported by an Edge-PE we have a virtual bridge and a virtual bridge port for traffic to and from the rest of the VPLS," and at col. 6 ll. 13-24 that "Each VC tunnel consists of 3 parts. Thus each direction of VC tunnel can be thought of as a Label Switched Path of three segments. ... the Core-PEs perform a label swapping operation on VC label as packet traverse from the SET to the core and vice versa." Thus, what Casey teaches is a method of providing virtual private network services in a network organized into a network core and a plurality of logical provider edges,

each logical provider edge being partitioned into a plurality of Edge-PEs and a Core-PE, the method comprising the steps of: establishing a first tunnel between a first Edge-PE and a first Core-PE; establishing a second tunnel between the first Core-PE and a second Core-PE; and establishing a third tunnel between the second Core-PE and a second Edge-PE.

Furthermore, although Casey discloses at col. 4 ll. 1-4 that "one particular layer 2 multiplexing mechanism of importance is the use of 802.1Q VLAN tags as a method of separating customer traffic destined for different VPNs," Casey only teaches to use the 802.1Q VLAN technique to implement VPN, which is discussed in the background of the present application. Casey, however, simply does not disclose "configuring a VLAN QinQ switching device and a multi-protocol label switching device to communicate with each other and implementing switching between VLAN labels and MPLS labels." Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Casey discloses this feature in accordance with 37 C.F.R. 1.104(c)2. Otherwise, Applicants respectfully request the Examiner to kindly reconsider and pass claim 1 to allowance.

Claims 2-4, 6 and 10 depend from claim 1. In view of the above discussion, it is submitted that claim 1 is allowable, and for this reason claims 2-4, 6 and 10 are also allowable at least in view of their dependency on claim 1.

Rejection under 35 U.S.C §103

Claims 5 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Casey in view of the "Method to set up…" article. Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Casey in view of U.S. Pat. No. 7,130,926 to Wu et al. Claim 8 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Casey in view of Wu and further in view of U.S. Pat. No. 7,136,374 to Kompella et al.

Claims 5 and 7-9 depend from claim 1. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claim 1,

Applicants submit that claims 5 and 7-9 are also allowable at least by virtue of their dependency on claim 1.
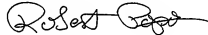
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In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

Respectfully submitted,

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